

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, AUGUST 9, 2005
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Deb Schorr, Vice Chair
Bernie Heier
Ray Stevens
Bob Workman

Commissioners Absent: Larry Hudkins, Chair

Others Present: Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 1:30 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, August 2, 2005.**

MOTION: Heier moved and Workman seconded approval of the minutes of the Board of Commissioners meeting dated August 2, 2005. Schorr, Workman and Heier voted aye. Stevens abstained from voting. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

A. The Commissioners' Award of Excellence for July, 2005 was presented to the team of Gerald Hauder and Todd Styskal, Correctional Officers.

- 3) **CLAIMS: Approval of all claims processed through Tuesday, August 9, 2005.**

MOTION: Stevens moved and Workman seconded approval of all claims processed through August 9, 2005. Heier, Workman, Stevens and Schorr voted aye. Motion carried.

4) **NEW BUSINESS:**

A. An application for a Special Events Permit from Wayne Benson d/b/a Benson Enterprises, Inc. to operate the Lincoln Saltdog Corn Maze from Saturday, September 3, 2005 through Sunday, October 23, 2005 on property located at 5100 Southwest 140th Street. Hours of operation will vary.

Jennifer Benson, co-applicant appeared and distributed a detailed fact sheet (Exhibit 1) of The Maize, as well as invitations for the County Board to a sneak preview of The Maize.

In response to a question asked by Workman, Mrs. Benson explained that she and her husband, Wayne, consulted with a maze company located in Utah who have done mazes throughout the world. She stated the company uses no Geographical Positioning System (GPS) to design the maze.

Mrs. Benson stated they would be offering school field trips to integrate agricultural education every Thursday and Friday. She added that they have a retired Lincoln Public Schools teacher operating the program using agriculture in the classroom types of educational materials.

Schorr asked how the Food Bank is involved in the project.

Mrs. Benson stated if individuals come to The Maize with a can of food a discount of \$1 will be taken off the admission price. She added that Scott Young, Food Bank Director, is working with them to take delivery of those items.

Heier noted that the Nebraska Corn Board contributes to agriculture in the classroom and stated if they (Nebraska Corn Board) can help to please contact them.

MOTION: Stevens moved and Workman seconded approval of an application for a Special Events Permit from Wayne Benson d/b/a Benson Enterprises, Inc. to operate the Lincoln Saltdog Corn Maze from Saturday, September 3, 2005 through Sunday, October 23, 2005 on property located at 5100 Southwest 140th Street. Workman, Stevens, Schorr and Heier voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

- B. An application from the Nebraska State Board of Agriculture to provide liquor beverage service in connection with the Governor's Art Auction fund raiser for the Nebraska State Fair 1868 Foundation. The fund raiser will be held on Thursday, August 25, 2005 from 6 p.m. to 11 p.m. in a tent and fenced area on State Fair Park property located at 1800 State Fair Park Drive, Lincoln, Lancaster County, Nebraska.**

Richard Bjorklund, Executive Director, appeared and invited County Board members to attend the Governor's Art Auction indicating this would be the second year for the fund raiser.

MOTION: Heier moved and Stevens seconded approval of an application from the Nebraska State Board of Agriculture to provide liquor beverage service in connection with the Governor's Art Auction fund raiser for the Nebraska State Fair 1868 Foundation. Stevens, Heier, Workman and Schorr voted aye. Motion carried.

- C. A resolution regarding the proposed sale of County property generally located at 7000 Northwest 27th Street, Lincoln, Lancaster County, Nebraska which includes declaring the property surplus, determination of fair market value and setting the sale date of the property for September 1, 2005. (R-05-0093)**

MOTION: Stevens moved and Workman seconded approval of Resolution 05-0093 regarding the proposed sale of County property generally located at 7000 Northwest 27th Street, Lincoln, Lancaster County, Nebraska which includes declaring the property surplus, determination of fair market value and setting the sale date of the property for September 1, 2005. Heier, Workman, Schorr and Stevens voted aye. Motion carried.

- D. A resolution authorizing the installation of traffic signs at the following locations: (R-05-0094)**

- ▶ **A "No Outlet" sign on Southwest 40th Street north of West "A" Street for northbound traffic.**
- ▶ **A "Dead End" sign on Southwest 40th Street north of "F" Street for northbound traffic.**

4) **NEW BUSINESS CONTINUED:**

MOTION: Heier moved and Workman seconded approval of Resolution 05-0094 authorizing the installation of the following traffic signs: a "No Outloet" sign on Southwest 40th Street north of West "A" Street for northbound traffic and a "Dead End" sign on Southwest 40th Street north of "F" Street for northbound traffic. Heier, Workman, Stevens and Schorr voted aye. Motion carried.

E. A resolution in the matter of supporting anti-methamphetamine legislation and funding. (R-05-0095)

Workman stated he recently attended the national meeting of the National Association of County Officials (NACo) where they concluded that there is no state in the Union which does not have a problem with methamphetamine. He stated that the resolution, if approved, will go to Nebraska's national representatives and the national office of NACo. Workman stated the purpose of the resolution is to encourage Congress to adopt measures allowing for Federal funding of solutions for the drug problem.

The Clerk read the resolution into the record.

MOTION: Workman moved and Heier seconded approval of Resolution 05-0095 in the matter of supporting anti-methamphetamine legislation and funding.

Stevens requested the following changes be made to language contained in the last paragraph on page two of the resolution:

- ▶ Change *NOW, THEREFORE, BE IT RESOLVED that Lancaster County urges to NOW, THEREFORE, BE IT RESOLVED that the Lancaster County Board of Commissioners urges . . .*
- ▶ Change *Additionally, Lancaster County insists that Congress to Additionally, the Lancaster County Board of Commissioners requests that Congress . . .*

Both the maker of the motion and seconder concurred.

ROLL CALL: Schorr, Heier, Workman and Stevens voted aye. Motion carried.

F. A resolution in the matter of approving an annual cost of living increase for Unrepresented, Classified County employees, in the amount of 1.75 percent, effective the pay period beginning August 18, 2005. (R-05-0096)

4) **NEW BUSINESS CONTINUED:**

MOTION: Stevens moved and Workman seconded approval of Resolution 05-0096 in the matter of approving an annual cost of living increase for Unrepresented, Classified County employees, in the amount of 1.75 percent, effective the pay period beginning August 18, 2005. Stevens, Workman, Heier and Schorr voted aye. Motion carried.

G. An agreement with AdvancePCS Health, L.P. to participate in the National Association of Counties (NACo) Prescription Drug Discount Card Program. The County will not be charged for such service, rather AdvancePCS will retain 100 percent of the rebates collected from manufacturers as reasonable compensation for its services. This agreement rescinds and replaces the agreement and addendum previously executed by the County on April 26, 2005, under County Contract C-05-0223. (C-05-0415)

Workman gave a brief overview of the agreement.

MOTION: Workman moved and Heier seconded approval of an agreement with AdvancePCS Health, L.P. to participate in the National Association of Counties (NACo) Prescription Drug Discount Card Program. Heier, Schorr and Workman voted aye. Stevens voted no. Motion carried.

H. An interlocal agreement with the Village of Denton for law enforcement services within the Village limits. The Lancaster County Sheriff will assign one deputy to duty in the Village limits and provide a cruiser. The Village will reimburse the County at the overtime rate of pay for the Deputy assigned. Term of the agreement will be from September 1, 2005 to August 31, 2006. (C-05-0416)

I. An interlocal agreement with the Village of Bennet for law enforcement services within the Village limits. The Lancaster County Sheriff will assign one Deputy to duty in the Village limits and provide a cruiser. The Village will reimburse the County at the overtime rate of pay for the Deputy assigned. Term of the agreement will be from September 1, 2005 to August 31, 2006. (C-05-0417)

The Clerk read New Business Items 4H and 4I together.

Terry Wagner, County Sheriff, gave a brief summary of the agreements.

4) **NEW BUSINESS CONTINUED:**

MOTION: Heier moved and Stevens seconded approval of interlocal agreements with the Village of Denton and the Village of Bennet for law enforcement services within the Village limits. Workman, Schorr, Stevens and Heier voted aye. Motion carried.

J. An agreement with Mike's 66 and Towing for towing and storage of towed vehicles for the Lancaster County Sheriff's Office. The agreement is for a four year period beginning on September 1, 2005 and ending August 31, 2009. The estimated annual amount of the contract is \$100,000 to \$125,000 to meet the needs for 2005/2006. (C-05-0418)

MOTION: Stevens moved and Heier seconded approval of an agreement with Mike's 66 and Towing for towing and storage of towed vehicles for the Lancaster County Sheriff's Office. Schorr, Stevens, Heier and Workman voted aye. Motion carried.

K. An interlocal agreement with the City of Lincoln to provide the City with an appropriate facility (Youth Assessment Center) for temporary detention of juveniles taken into custody by the Lincoln Police Department pursuant to Neb. Rev. Stat. §43-248. Term of the agreement is July 1, 2005 through June 30, 2006. The City will pay the County \$50,000 for these services. (C-05-0419)

MOTION: Heier moved and Stevens seconded approval of an interlocal agreement with the City of Lincoln to provide the City with an appropriate facility (Youth Assessment Center) for temporary detention of juveniles taken into custody by the Lincoln Police Department pursuant to Neb. Rev. Stat. §43-248. Stevens, Schorr, Heier and Workman voted aye. Motion carried.

L. An interlocal agreement with the City of Lincoln to provide and share the cost of a dust control treatment on South 98th Street between Van Dorn and Yankee Hill Road. The City will contract for the dust control treatment. The County will give permission to the City to apply the treatment on its portion of South 98th Street. The anticipated total cost of the project is \$40,000, and the City and County will each contribute one-half of the total amount. Term of the agreement is July 1, 2005 through November 30, 2005. (C-05-0420)

4) **NEW BUSINESS CONTINUED:**

Don Thomas, County Engineer, noted that the cost (\$40,000) is for two treatments.

MOTION: Heier moved and Stevens seconded approval of an interlocal agreement with the City of Lincoln to provide and share the cost of a dust control treatment on South 98th Street between Van Dorn and Yankee Hill Road. Schorr, Stevens, Heier and Workman voted aye. Motion carried.

M. A contract with American Sanitary Inc. d/b/a AM SAN Nebraska, Inc. - Nogg Chemical and Paper for annual requirements for custodial hard goods and paper products. Term of the contract is for a one year period from July 1, 2005 to June 30, 2006 and may be renewed for three additional one year periods with mutual consent. The estimated annual amount of the contract is \$150,000 to \$175,000 (total combined County/City requirements). (C-05-0421)

MOTION: Stevens moved and Workman seconded approval of a contract with American Sanitary Inc. d/b/a AM SAN Nebraska, Inc.- Nogg Chemical and Paper for annual requirements for custodial hard goods and paper products. Workman, Schorr, Heier and Stevens voted aye. Motion carried.

N. An application and agreement for nutrition services with the State of Nebraska, Department of Education Nutrition Services System. The application is under the Child and Adult Care Food Program on behalf of the Community Mental Health Center. Term of the agreement is July 1, 2005 through June 30, 2006. The State will reimburse the County up to \$25,500 for the program. (C-05-0422)

MOTION: Workman moved and Stevens seconded approval of an application and agreement for nutrition services with the State of Nebraska, Department of Education Nutrition Services System. The application is under the Child and Adult Care Food Program on behalf of the Community Mental Health Center. Heier, Workman, Stevens and Schorr voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

O. A labor agreement with the Lancaster County Deputy Sheriffs' Association, Fraternal Order of Police, Lodge 29, for a three-year period beginning August 18, 2005. (C-05-0423)

MOTION: Stevens moved and Heier seconded approval of a labor agreement with the Lancaster County Deputy Sheriffs' Association, Fraternal Order of Police, Lodge 29, for a three-year period beginning August 18, 2005. Schorr, Stevens, Workman and Heier voted aye. Motion carried.

P. A labor agreement with the American Federation of State, County and Municipal Employees, AFL-CIO (AFSCME), Local 2468, for a one-year period beginning August 18, 2005. (C-05-0424)

MOTION: Workman moved and Stevens seconded approval of a labor agreement with the American Federation of State, County and Municipal Employees, AFL-CIO (AFSCME), Local 2468, for a one-year period beginning August 18, 2005. Workman, Schorr, Heier and Stevens voted aye. Motion carried.

Q. A labor agreement with the Fraternal Order of Police, Lodge 32, for a four-year period beginning August 18, 2005. (C-05-0425)

MOTION: Heier moved and Stevens seconded approval of a labor agreement with the Fraternal Order of Police, Lodge 32, for a four-year period beginning August 18, 2005. Heier, Workman, Stevens and Schorr voted aye. Motion carried.

R. Recommendation from the Emergency Management Director and the Purchasing Agent to award an order for portable/mobile radio equipment at City of Lincoln mirror contract prices per Executive Order # 72139 to RACOM Corp., in the amount of \$419,479.25, using grant funds obtained by the Emergency Management Department. (B-05-0028)

MOTION: Stevens moved and Workman seconded approval to award an order for portable/mobile radio equipment at City of Lincoln mirror contract prices per Executive Order # 72139 to RACOM Corp., in the amount of \$419,479.25, using grant funds obtained by the Emergency Management Department as recommended by the Purchasing Agent and the Emergency Management Director. Workman, Stevens, Schorr and Heier voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

S. Recommendation from the Purchasing Agent and the Emergency Management Director to award an order for portable/mobile radio equipment at Southwest Rural Fire Department mirror contract prices to D & D Communications, in the amount of \$53,290.64, using grant funds obtained by the Emergency Management Director. (B-05-0029)

MOTION: Workman moved and Sevens seconded approval to award an order for portable/mobile radio equipment at Southwest Rural Fire Department mirror contract prices to D & D Communications, in the amount of \$53,290.64, using grant funds obtained by the Emergency Management Director as recommended by the Purchasing Agent and the Emergency Management Director. Stevens, Heier, Workman and Schorr voted aye. Motion carried.

T. Authorization of Wells Fargo Bank, as trustee, to disburse and make payment from the Lancaster County Limited Tax Building 2004 Construction Fund to Metroplex Control Systems, in the amount of \$254,250, for the security upgrade in the Corrections Department and to Progressive Construction Company, L.L.C., in the amount of \$19,850.67, for the vehicle storage facility for the Sheriff's Office. Total amount of the disbursement is \$274,100.67.

MOTION: Heier moved and Workman seconded approval of the authorization of Wells Fargo Bank, as trustee, to disburse and make payment from the Lancaster County Limited Tax Building 2004 Construction Fund to Metroplex Control Systems, in the amount of \$254,250, for the security upgrade in the Corrections Department and to Progressive Construction Company, L.L.C., in the amount of \$19,850.67, for the vehicle storage facility for the Sheriff's Office. Heier, Workman, Schorr and Stevens voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

U. Request from the Lancaster County Personnel Policy Board for the following:

- Create the classification of Senior Equipment Operator at a proposed pay grade of \$31,349 to \$40,911.52 (A18)
- Change the pay grade for the following classifications: Corrections Sergeant from a current pay grade of \$34,172.32 to \$44,570.24 (C20) to a proposed pay grade of \$37,265.28 to \$48,784.32(C22) and Corrections Lieutenant from a current pay grade of \$38,952.16 to \$51,130.56 (C23) to a proposed pay grade of \$40,740.96 to \$53,587.04 (C24)
- Amend the following Personnel Rules: Rule 5.7 - Seniority Credit, Rule 17.19 - Shift Differential, Rule 19.3 - Sick Leave and Rule 19.4 - Injury Leave
- Revise the Workers' Compensation Personnel Policy Bulletin

MOTION: Stevens moved and Heier seconded approval of the request from the Lancaster County Personnel Policy Board. Heier, Workman, Stevens and Schorr voted aye. Motion carried.

V. Appointment of Larry Anderson to the Government Access Information Committee to fill the unexpired term of James Schultz ending January 1, 2008.

MOTION: Heier moved and Stevens seconded approval of the appointment of Larry Anderson to the Government Access Information Committee to fill the unexpired term of James Schultz ending January 1, 2008. Schorr, Heier, Workman and Stevens voted aye. Motion carried.

W. Reappointment of Roger Larson and Tommy Taylor to the Lincoln-Lancaster Planning Commission for a six year term expiring August 24, 2011.

MOTION: Stevens moved and Workman seconded approval of the reappointment of Roger Larson and Tommy Taylor to the Lincoln-Lancaster Planning Commission for a six year term expiring August 24, 2011. Stevens, Workman, Heier and Schorr voted aye. Motion carried.

- 5) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

- 1. County Clerk's Monthly Report for July, 2005.**
- 2. 2005 Annual Inventory of County Real Property from the County Assessor/Register of Deeds.**

B. Setting of public hearings for Tuesday, August 23, 2005 at 1:30 p.m. in the Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the following:

- 1. County Special Permit 04056, Nature Meadows Community Unit Plan, requested by ESP on behalf of Craig Gana, to develop four residential acreage units, with associated waiver requests, on property generally located northwest of the intersection of South 120th Street and Stagecoach Road in Lancaster County, Nebraska.**
- 2. County Preliminary Plat 04026, Nature Meadows, requested by ESP on behalf of Craig Gana, to develop four residential acreage lots, with associated waiver requests, on property generally located northwest of the intersection of South 120th Street and Stagecoach Road in Lancaster County, Nebraska.**

C. Setting of a public hearing for Tuesday, August 30, 2005 at 1:30 p.m. in the Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding an application for Corporate Manager for Alan W. Budt in connection with a Class H (Non-Profit) liquor license for Veterans FW 3606, located at 3340 West A Street, Lincoln, Lancaster County, Nebraska.

D. Requests from the following individuals to voluntarily participate in the County's retirement plan having met the requirements:

- **Lisa Moehlenhoff, an employee with the Lancaster County Veterans Service Office**
- **Christina Walkinshaw, an employee with the Lancaster County Veterans Service Office**
- **Melissa Adams, an employee with Lancaster Manor**

5) **CONSENT ITEMS CONTINUED:**

MOTION: Stevens moved and Workman seconded approval of the Consent Items. Heier, Stevens, Schorr and Workman voted aye. Motion carried.

6) **ADJOURNMENT:**

MOTION: Stevens moved and Heier seconded adjournment of the Board of Commissioners meeting at 2:18 p.m.. Workman, Schorr, Stevens and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, AUGUST 9, 2005
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Deb Schorr, Vice Chair
Bernie Heier
Ray Stevens
Bob Workman

Commissioners Absent: Larry Hudkins, Chair

Others Present: Norm Agena, County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was called to order at 2:18 p.m..

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, August 2, 2005.**

MOTION: Heier moved and Workman seconded approval of the minutes of the Board of Equalization meeting dated August 2, 2005. Schorr, Workman and Heier voted aye. Stevens abstained from voting. Motion carried.

2) **ADDITIONS AND DEDUCTIONS:**

Approval of 39 additions and deductions to the tax assessment roll per Exhibit "A".

MOTION: Workman moved and Stevens seconded approval of the additions and deductions to the tax assessment rolls. Workman, Schorr, Heier and Stevens voted aye. Motion carried.

3) **NOTICE OF PROPOSED CHANGE IN EXEMPTION STATUS:**

Saint Luke United Methodist

Norm Agena, County Assessor/Register of Deeds, explained that the property has been sold.

MOTION: Heier moved and Workman seconded approval of the removal of exemption status for Saint Luke United Methodist. Heier, Workman, Stevens and Schorr voted aye. Motion carried.

4) **NOTICE OF VALUATION CHANGE:**

Saint Luke United Methodist Church

MOTION: Workman moved and Heier seconded approval of the valuation change for Saint Luke United Methodist Church to \$120,500 for 2005. Schorr, Heier, Workman and Stevens voted aye. Motion carried.

5) **APPROVAL OF 2005 451 TAX EXEMPTION APPLICATIONS ON REAL AND/OR PERSONAL PROPERTY:**

Cong. United Church of Christ (2 exemption applications)
Hope Reformed Church (Personal Property)
Indian Hills Community Church
Omni Behavioral Health
Hallam United Methodist Church (2 exemption applications)

The Clerk indicated the exemption for Gates of Praise, listed under Item 8(denial), should be listed under Item 5 (approval).

MOTION: Workman moved and Heier seconded approval of 2005 451 tax exemption applications on real and/or personal property. Workman, Stevens, Schorr and Heier voted aye. Motion carried.

6) **APPROVAL OF 2005 PARTIAL 451 TAX EXEMPTION APPLICATION ON REAL PROPERTY:**

Hope Reformed Church

Agena recommended 6.25 acres be exempt.

MOTION: Heier moved and Workman seconded approval of a partial exemption for 6.25 acres for Hope Reformed Church as recommended by the County Assessor/Register of Deeds. Stevens, Heier, Workman and Schorr voted aye. Motion carried.

7) **REMOVAL OF EXEMPT STATUS:**

<u>Name</u>	<u>Recommendation/Notes</u>
Saint Luke United Methodist Church	Property Vacant & under contract for sale

This item was dropped from the agenda.

8) **DENIAL OF 2005 451 TAX EXEMPTION APPLICATIONS:**

<u>Name</u>	<u>Recommendation/Notes</u>
Gates of Praise	Not an exempt use
National Strength & Conditioning Assoc. Certification Commission	Not an exempt use
National Strength & Conditioning Assoc. Certification Commission	Not an exempt use
Tabitha, Inc.	No permits
Tabitha, Inc.	No permits

MOTION: Workman moved and Heier seconded denial of 2005 451 tax exemptions applications for National Strength & Conditioning Association Certification Commission (2 applications) and Tabitha, Inc. (2 applications). Heier, Workman, Stevens and Schorr voted aye. Motion carried.

9) **ADJOURNMENT:**

MOTION: Heier moved and Stevens seconded adjournment of the Board of Equalization at 2:26 p.m.. Stevens, Workman, Heier and Schorr voted aye. Motion carried.

Bruce Medcalf
County Clerk